

RECEIVED 13 MAR 2006

MAIL STOP:  
MISSING REQUIREMENTS  
Attorney Docket: 26773U  
Date: March 13, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:                      Art Unit: Unknown  
                 BUHR, et al.                      Examiner: Unknown  
Serial No.:        10/537,693  
Filed:                June 6, 2005  
International Application:        PCT/EP03/14069  
International Filing Date:        December 11, 2003  
Title:        **4-SUBSTITUTED BENZIMIDAZOLES AND THEIR USE AS INHIBITORS  
                 OF GASTRIC SECRETION**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

In response to the Notification of Missing Requirements of February 9, 2006, submitted herewith are the following:

- 1) Executed Declaration and Power of Attorney;
- 2) Check No. 1808 in the Amount of \$ 130.00 for the late Declaration Surcharge as a Large Entity.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
\_\_\_\_\_  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

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Alexandria, VA 22314  
GMN/SMM/le



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In re Application of: BUHR, et al.  
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Art Unit: Unknown  
Examiner: Unknown

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

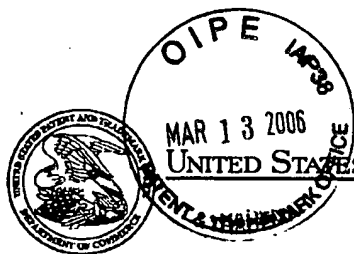
- 1) Copy of Notification of Missing Requirements;
- 2) Response to Notification of Missing Requirements;
- 3) Executed Declaration and Power of Attorney;
- 4) Check No. 1808 in the Amount of \$ 130.00 for the late Declaration Surcharge as a Large Entity.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
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MAR 13 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,693	Wilm Buhr	26773U

INTERNATIONAL APPLICATION NO.
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PCT/EP03/14069

I.A. FILING DATE	PRIORITY DATE
12/11/2003	12/13/2002

34375  
 NATH & ASSOCIATES PLLC  
 112 South West Street  
 Alexandria, VA 22314

CONFIRMATION NO. 8398

371 FORMALITIES LETTER



\*OC000000017980738\*

Date Mailed: 02/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Preliminary Amendments filed on 06/06/2005
- Information Disclosure Statements filed on 06/06/2005
- Oath or Declaration filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Priority Documents filed on 06/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - does not identify the application to which it is directed.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,693	PCT/EP03/14069	26773U

FORM PCT/DO/EO/905 (371 Formalities Notice)